

PATENT  
ATTORNEY DOCKET NO.: 045636-5052

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Philippe ROCH et al.	)	
U.S. Application No.: 10/030,231	)	Group Art Unit: Unassigned
International Appln. Filing Date: July 7, 2000	)	
Date of National Stage Entry: January 8, 2002	)	Examiner: Unassigned

For: ANTIMICROBIAL PEPTIDES DERIVED FROM MOLLUSKS

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed April 22, 2002.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

## 3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

☐ Also enclosed is the Verification of Translation Document

## 4. Small Entity Statement(s)

☐ A statement claiming small entity status under 37 C.F.R. §1.27 is asserted for the present application.

## 5. Fee Calculation

Basic Fee: PCT Application-\$890.00				
	Number Filed	Number Extra	at a Rate of	
Total Claims	-20 =		\$18.00 each=	+\$
Independent Claims	- 3 =		\$84.00 each=	+\$
Multiple dependent claim(s), if any			\$280.00	+\$
Missing Requirements Surcharge Fee			\$130.00	\$130.00
<b>SUB-TOTAL =</b>				<b>\$130.00</b>
Reduction by ½ for filing by small entity. All entities associated with this application presently fully meet the requirements of 36 CFR § 1.9(d).				
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	+\$
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	+\$
<b>TOTAL FILING FEE =</b>				<b>\$130.00</b>

## 6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$0

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

## 7. Fee Payment

The total fee due is:	Completion Fees	\$130.00
	Assignment Fee	40.00
	Total Fee Due	<u>\$170.00</u>

- ☒ Please charge Deposit Account No. 50-0310 in the amount of \$170.00 representing the Missing Requirements Surcharge and an assignment recordation fee.

06/25/2002 GFREY1 00000054 500310 10030231  
01 FC:154 130.00 CH

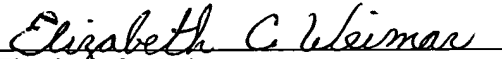
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☐ Form PCT/IPEA/409 (English Translation)  
☒ Recordation Cover Sheet  
☒ Assignment  
☐ PCT/IB/338 English translation of the International preliminary Examination Report  
☐ Information Disclosure Statement  
☐ Form PTO-1449, \_\_documents as listed  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
Elizabeth C. Weimar  
Reg. No. 44,478

Date: June 20, 2002

**Customer No. 09629**

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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/030,231	Philippe Roch	045636-5052

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INTERNATIONAL APPLICATION NO.	
PCT/FR00/01975	
I.A. FILING DATE	PRIORITY DATE
07/07/2000	07/08/1999

CONFIRMATION NO. 5815

371 FORMALITIES LETTER



\*OC000000007902837\*

Date Mailed: 04/22/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments

Docketed 4-20-02 Attorney ECW  
 Case 45636-5052  
 Due Date 6-22-02  
 Action Missing Requirements  
 By SDW Chk BR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

**RECEIVED**  
 The time period set above may be extended by filing a petition and fee for extension of time under the provisions

APR 26 2002

MORGAN, LEWIS &amp; BOCKUS LLP

of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,231	PCT/FR00/01975	045636-5052

FORM PCT/DO/EO/905 (371 Formalities Notice)